

NOV 10 2004

Attorney Docket: 1055E (30US5)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: David Stern et al
Serial No: 10/828,613
Filed: April 21, 2004
For: METHOD AND APPARATUS FOR DETECTION OF FLUORESCENTLY
LABELED MATERIALS

Examiner: Andrew W. Johns
Art Unit: 2621

Commissioner for Patents
US Patent and Trademark Office

CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify that the enclosed total of 6 pages including a cover sheet is being facsimile transmitted to the fax number 1-703-872-9314, in the above-referenced application, to the Patent and Trademark Office on the date shown below.

Typed or Printed Name of Person: Ivan D. Zitkovsky, Reg. No. 37,482

Date: November 10, 2004

Signing Certification

**INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR §1.97 and §1.98**

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, Applicants submit this Information Disclosure Statement including an attached form PTO-1449.

This Information Disclosure Statement has been filed more than three months after the filing date of this application, but before the mailing date of the first Office Action on the merits; therefore, **no fee is required**.

The Applicants hereby make of record in the above-identified application the information listed on the attached form PTO-1449 (modified). As provided for by 37 CFR 1.97(g) and (h), no inference should be made that the information and references cited are prior art merely because they are in this statement and no representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information. The order of presentation of the references should not be construed as an indication of the importance of the references.

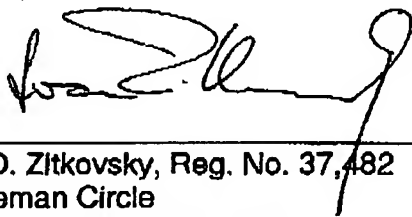
This application claims priority under 35USC §120 from and is a continuation of US Application 09/699,852 filed October 30, 2000, now US Patent 6,741,344, which is a continuation of US Application Serial No. 08/823,824 filed on March 25, 1997, now US Patent 6,141,096, which is a continuation of US Application Serial No. 08/195,889, filed on February 10, 1994, now U.S. Patent 5,631,734. Except for US Patent 6,741,344; 6,591,196; 6,207,960; and 6,140,044, all documents cited in the attached form PTO-1449 were previously submitted in the above-mentioned priority applications; **therefore submission of copies of the cited documents is not required.**

This application was filed after June 30, 2003. As published in the Official Gazette on August 5, 2003, the US PTO "waives the requirement under 37 CFR 1.98 (a)(2)(i) for submitting a copy of each cited U.S. patent and each U.S. patent application publication for all U.S. national patent applications filed after June 30, 2003." Therefore, copies of the cited US Patents 6,741,344; 6,591,196; 6,207,960 and 6,140,044 **do not need to be submitted herewith.**

It is respectfully requested that the cited information be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

Applicant believes that no fee is required for submission of this Statement. However, if a fee is required, the Commissioner is authorized to deduct such fee from the Deposit Account No. 01-0431.

Respectfully submitted,



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Nov. 10, 2004

FORM PTO-1449 (Modified)			Attorney Docket No.: A1-30US5		Application No.: 10/828,613	
LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT (Use several sheets if necessary)			Applicant: DAVID STERN			
			Filing Date: April 21, 2004		Group: 2621	
Reference Designation			U.S. PATENT DOCUMENTS			Page 1
Examiner Initial	Document No.	Date	Name	Class	Sub-class	Filing Date (If Appropriate)
	6,741,344	5/25/2004	STERN ET AL.			
	6,591,196	7/8/2003	YAKHINI ET AL.			
	6,207,960	03/27/2001	STERN			
	6,141,096	10/31/2000	STERN ET AL.			
	6,140,044	10/31/2000	BESEMER			
	5,981,956	11/9/1999	STERN			
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	5,760,951	06/02/1998	DIXON ET AL.			
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	5,672,880	09/30/1997	KAIN			
	5,646,411	07/08/1997	KAIN ET AL.			
	5,631,734	05/20/1997	STERN ET AL.			
	5,585,639	12/17/1996	DORSEL ET AL.			
	5,583,342	12/10/1996	ICHIE			
	5,578,832	11/26/1996	TRULSON ET AL.			
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	5,424,841	06/13/1995	VAN GELDER ET AL.			
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Examiner Initial	Document No.	Date	Name	Class	Sub-class	Filing Date (If Appropriate)
	5,381,224	01/10/1995	DIXON ET AL.			
	5,346,672	09/13/1994	STAPLETON ET AL.			
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	5,304,810	04/19/1994	AMOS			
	5,304,487	04/19/1994	WILDING ET AL.			
	5,300,779	04/05/1994	HILLMAN ET AL.			
	5,281,516	01/25/1994	STAPLETON ET AL.			
	5,235,180	08/10/1993	MONTAGU			
	5,214,531	05/25/1993	TORII ET AL.			
	5,200,051	04/06/1993	COZZETTE ET AL.			
	5,198,871	03/30/1993	HILL, JR. ET AL.			
	5,192,980	03/09/1993	DIXON ET AL.			
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	5,091,652	02/25/1992	MATHIES			
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	4,963,498	10/16/1990	HILLMAN ET AL.			
	4,878,971	11/07/1989	TSUNEKAWA ET AL.			
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	4,204,929	05/27/1980	BIER			
	4,180,739	12/25/1979	ABU-SHUMAYS			
	4,176,925	12/04/1979	KOCHER ET AL.			
	4,070,111	01/24/1978	HARRICK			
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	3,984,171	10/05/1976	HOTCHKISS			
	3,802,966	04/09/1974	DELEKTO ET AL.			
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	3,385,160	05/28/1968	DAWSON ET AL.			
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	WO 95/11995	05/04/1995	WIPO			
	WO 93/09668	05/27/1993	WIPO			
	WO 93/02992	02/18/1993	WIPO			
	WO 92/10092	06/25/1992	WIPO			
	WO 90/15070	12/13/1990	WIPO			
	WO 84/01031	03/15/1984	WIPO			
OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)						
	Alexay et al., "Fluorescence scanner employing a Macro Scanning Objective," Progress in Biomedical Optics, SPIE, Proceedings of fluorescence Detection IV, Vol. 2705, pp. 63-72 (1996).					
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	Chee et al., "Accessing Genetic Information with High-Density DNA Arrays," Science, Vol 274, pp. 610-614 (October 25, 1996).					
	Dixon et al., "Confocal scanning beam laser microscope/macroscope: Applications in Fluorescence," Progress in Biomedical Optics, SPIE, Proceedings of Fluorescence Detection IV, Vol. 2705, pp. 44-52 (1996).					
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	Ekins et al., "Development of microspot multianalyte ratiometric immunoassay using dual fluorescent-labeled antibodies," <i>Analytica Chimica</i> , ACTA 227: 73-96 (December 1, 1989).		
	Ekins et al., "Multianalyte microspot immunoassay - microanalytical 'compact disk' of the future," <i>Clin. Chem.</i> , Vol. 37, No. 11, pp. 1955-1967 (November 1991).		
	Fodor et al., "Light-Directed, Spatially Addressable Parallel Chemical Asynthesis," <i>Science</i> , vol. 251, pp. 767-773 (Feb. 15, 1991)		
	Lockhart et al., "Expression monitoring by hybridization to high-density oligonucleotide arrays," <i>Nature Biotechnology</i> , Vol 14, No. 13, pp. 1675-1680 (December 1996).		
	Pease et al., "Light-generated oligonucleotide arrays for rapid DNA sequence analysis," <i>Proc. Natl. Acad. Sci. USA</i> , Vol. 91, pp. 5022-5026 (May 1994).		
	Quesada et al., "High-sensitivity DNA detection with a laser-excited confocal fluorescent gel scanner." <i>Biotechniques</i> 10:616-625 (1991).		
	Sapolsky et al., "Mapping Genomic Library Clones Using Oligonucleotide Arrays," <i>Genomics</i> , Vol. 33, Article No. 0219, pp. 445-456 (1996).		
	van der Voort et al., "Design and use of a computer controlled confocal microscope for biological applications." <i>Scanning</i> 7: 68-78. (1985).		
	White et al., "An evaluation of confocal versus conventional imaging of biological structures by fluorescent light microscopy." <i>J. Cell Biol.</i> 105: 41-48. (Jul. 1987).		
	Yamamoto et al., "Features and applications of the laser scanning microscope," <i>Journal of Modern Optics</i> , Vol. 37, No. 11, pp. 1691-1701 (1990).		

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